REMARKS

Claims 1-35 currently remain pending in the above-identified application. Applicants have amended claims 8, 16, 18, and 26 to correct certain grammatical errors and to render such claims consistent with the other pending independent claims. Ample antecedent basis exists in the specification and drawings for the amendments so applicants have added no new matter.

Before proceeding to address the examiner's rejections, applicants will briefly summarize their invention to assist the examiner in better appreciating the differences between applicants' invention and the art of record. As recited in amended claim 1, applicants have provided a method for producing a live or live-to-tape show by first enabling the creation of instructions that define at least one of a set of production commands that comprise at least one segment file that includes at least one production command, which when executed produces a segment of the show. The one segment file comprises at least one scripted portion that includes at least one command activated during a predetermined interval in a script that undergoes scrolling for display under control of an operator, and at least one non-scripted portions that includes at least one command activated independent of the script. Each segment has a duration which is defined by execution of the instruction sequence under the control of a human operator. The at least one production command undergoes execution to produce the show.

Oath/Declaration

As set forth in paragraph 19 of the 9 January 2002 Holtz declaration, event triggering from a teleprompter script list was not a feature of any product disclosed more than one year prior to applicants' critical date of 18 December 1998. Moreover, no sale or offer for sale of any product embodying event triggering from a teleprompter script occurred more than one year prior to applicants' critical date as stated in Holtz's declaration.

35 U.S.C. 102(e) of Claims 1-15, 18-24, 26-28, 30-32 and 34-45

Claims 1-15, 18-24, 26-28, 30-32 and 34-45 stand rejected as anticipated by U.S. Patent 6,038, 573, issued March 14, 2003 from an application filed April 4, 1997, in the name

of David Michael Parks (hereinafter, "the Parks patent"). Applicants respectfully traverse this rejection.

Independent claims 1, 8, 18, 26, and 32 each recite the feature of

> at least one scripted portion that includes at least one command activated during a predetermined interval in a script that undergoes scrolling for display under control of an operator, and at least one non-scripted portion that include at least one command activated independent of the script, said at least one segment having a duration which is defined by execution of said instruction sequence under the control of a human operator

At best, the Parks patent discloses a news story mark-up language system which includes a news story mark-up language (NSML) viewer (209) having a screen (240) that contains a template area (241), a machine code area (242) and a story area (243). The news story (243) area contains the text of a news story that will have one or more insertion points (245). Each insertion point corresponds to the location within the story of a machine code listed in the machine code area (242).

In rejecting applicants claims, the examiner relies on the disclosure at Col. 8, lines 33-35 and 40 43 of the Parks patent. For the sake of completeness applicants have reproduced the entire portion of Col. 8, lines 33-51 of the parks Patent which states:

> The example screen 240 includes a template area 241, a machine code area 242, and a story area 243. The template area 241 is used to contain metadata the news story. The template of the story either may be embedded in the story area or may be displayed separately in the template area 241. The machine code area 242 contains codes to control machines during broadcast. Each code is stored in a machine code object that contains all the text for the machine code and a corresponding insertion point which is visible in the story area 243 for the script. The story area 243 contains the text of the news story. In a script for a news story, the story area 243 contains the text that, for example, may be displayed on a teleprompter to be read by an anchor person. A reference mark 245 indicates the place within the story area where a machine instruction 246 should be executed. The reference mark 245 provides a link to the machine instruction 246. If a news story document is moved to another section of the news broadcast, or of the text associated with the reference mark is moved within the new story the corresponding machine instruction 246 would be moved with it. If the story was deleted from the broadcast, or if the text associated with the reference mark is deleted from the story, the corresponding machine instruction would be deleted.

Applicants submit that the Parks patent discloses executing a command corresponding to an insertion point in a story. However, the Parks patent says nothing regarding any requirement of executing at least one command executed independent of the script.

Applicants note the language at Col. 8, lines 48-51 of Parker et al. which states that deletion of the story appearing in the story area (243) for the script results in deletion of the machine instruction. Thus, Parker teaches that deletion of the script results in deletion of the command, thereby contravening the recitation in applicants' claims 1, 8, 18, 26, and 32 of execution of at east one command independent of the script.

The failure of Parks to disclose all of the features of applicants' claims 1, 8, 18, 26, and 32, as well as claims 2-7, 9-15, 19-24, 27-28, 30-31 and 24-35 which depend therefrom patentably distinguishes applicants' invention from the art of record. Applicants respectfully request withdrawal of claim 1-15, 18-24, 26-28, 30-32 and 34-45.

35 U.S.C. 103(a) Rejection of Claims 16, 17, 25, 29, and 33

Claims 16, 17, 25, 29, and 33 stand rejected under 35 U.S.C. 103(a) as obvious in view of the Parks patent discussed above with respect to the 35 U.S.C. 102(e) rejection of claims 1-15, 18-24, 26-28, 30-32 and 34-45. Applicants respectfully traverse the rejection of the claims for the reasons given below.

Applicants have discussed the Parks patent above. For the sake of brevity, applicants will not repeat a discussion here. For purposes of the instant rejection, Parks does not teach or in any way suggest activating a command during a script that undergoes scrolling for display under control of an operator and activating at least one command activated independent of the script.

In rejecting applicants 16 and 17, the examiner contents that the Parks patent teaches all the recited features of applicants' invention with the exception of converting verbal instructions into signals to enable the creation of instruction sequences. However, the examiner takes official notice that converting verbal instructions into signals appears old in the art. Thus, the examiner contends that it would have been obvious to modify the Parks patent to teach the subject matter of claims 16 and 17.

Like claims 1, 8, 18, 26, and 32, claims 16 and 17 each recite:

at least one scripted portion that includes at least one command activated during a predetermined interval in a script that undergoes scrolling for display under control of an operator, and at least one non-scripted portion that include at least one command activated independent of the script, said at least one segment having a duration which is defined by execution of said instruction sequence under the control of a human operator

The Parks does not teach or suggest the feature of activating at least one command during a predetermined interval in a script and executing a command independent of the script. Thus, even if it were obvious to modify the Parks patent to convert verbal instructions into signals to enable the creation of instruction sequences, the patent, when modified, would still not teach all of the features of applicants' claimed invention. Given that the Parks patent, even when modified, would not possess all of the features recited in applicants claims 16 and 17, these claims patentably distinguish over the art of record. Withdrawal of the 35 U.S.C. 103(a) rejection of these claims is requested.

Clams 25, 29 and 33 ultimately depend from claims 18, 26, and 32, respectively. As discussed above with respect to the 35 U.S.C. 102(e) rejection, the Parks patent does not teach all of the features of claims 18, 26 and 32, and therefore, would not render obvious claims 25, 29 and 33 that depend therefrom, respectively. Applicants request withdrawal of the 35 U.S.C. 103(a) rejection of claims 25, 29 and 33.

Conclusion

In view of the foregoing remarks, applicants respectfully solicit reconsideration of the rejection and allowance of the claims. If, however, the Examiner is believes that such action cannot be taken, the examiner is invited to contact the applicant's attorney at (609) 734-6820 to arrange for a mutually convenient date and time for a telephonic interview.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,
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